

REMARKS

By this Amendment the specification has been amended to improve its presentation, claim 1 has been amended to include the feature of claim 2 and to otherwise better define the invention, claims 7, 8 and 10 have been revised, claim 11 has been amended to be in independent form, and claim 21 has been made dependent on claim 17. Entry is in order.

A supplemental page 16 containing an abstract of the disclosure is attached hereto. A Letter Re Drawings is being filed concurrently herewith.

In the outstanding Office Action the examiner has rejected claims 1 and 3-5 under 35 U.S.C. 102(e) as being anticipated by Gunnersen et al., he has rejected claim 2 under 35 U.S.C. 103(a) as being unpatentable over Gunnersen et al. in view of Patel et al., he has rejected claim 6 under 35 U.S.C. 103(a) as being unpatentable over Gunnersen et al. in view of Muromoto, and he has rejected claims 8-10 under 35 U.S.C. 103(a) as being unpatentable over Gunnersen et al. in view of Oliveira et al. and Danielsen.

The inventors assert that the rejection based on Gunnersen in view of Patel, as well as other rejections, must be withdrawn.

Gunnersen et al. disclose an insertion and removal applicator 14 for an ear wax guard 6 of a hearing aid, the applicator including a first end portion 15 having a pin 23 at its end, a second end portion 16 having a

peak 24 at its end, and an intermediate piece 20 therebetween. Thus, Gunnersen does not disclose or suggest a manipulator wherein tool parts "are arranged side-by-side along one and the same edge part" as defined in amended claim 1.

Patel discloses a surgical tool for removal of bone from adjacent bone structures of vertebra endplates. This tool is totally unrelated to the applicator of Gunnersen et al., and the fact that the tool in Patel includes several tool elements at one end thereof for performing highly specialized operations on bone structures is not an obvious teaching for similar tools at one end of the Gunnersen et al. applicator.

The examiner's proposed combination of Gunnersen et al. and Patel is not reasonable. And nothing in Muromoto, Oliveira et al. or Danielsen would change this conclusion.

The examiner has rejected claims 11-14 under 35 U.S.C. 102(b) as being anticipated by Voroba, he has rejected claims 15 and 16 under 35 U.S.C. 103(a) as being unpatentable over Gunnersen et al. in view of Voroba.

The inventors assert that these rejections must be withdrawn.

The novelty of the holder defined in claim 11 lies in the fact that the individual pockets are shaped such that the part of the manipulator having the two tools is accommodatable within the pocket while the gripping part is accessible for gripping by fingers. As explained, the effect of this is that both tool parts remain protected inside the pocket and will

thus be completely clean once the user extracts a manipulator from the holder.

As the manipulator may be shaped in many different ways defining the shape of the pocket.

The problem underlying the inventive holder thus is how to accommodate filter manipulators in a way which ensures that the tool parts are clean and untouched when they are to be used. The solution lies in the combination of: a manipulator with an edge part with the two tools extending therefrom as defined in revised claim 11 and a holder with open pockets each shaped to accommodate one manipulator with both tool parts inside the pocket and a gripping part of the manipulator extending outside the pocket, such that this part is accessible for gripping by the fingers of a user. In this way a number of filter manipulators may be carried or stored by the user without risk of contamination of the tool parts, and at the same time the holder allows a manipulator to be readily extracted from the holder for further use.

Voroba discloses a package and dispenser of small batteries which allows easy installation and removal of batteries from small electronic devices. Voroba does not disclose a holder with a number of open pockets. There is nothing in Voroba suggesting shaping a holder for wax filter manipulators with open pockets allowing a gripping part of the filter manipulator to be readily accessed for gripping by a user. Voroba does

not disclose any of the essential limitations defined in claim 11, or render any of these limitations obvious.

The examiner's indication of allowable subject matter in claims 7, 9, 10, 17, 18, 19, 20 and 21 is noted with appreciation. It is believed that all of the presented claims are now allowable.

A prompt passage to issuance is requested.

Respectfully submitted,

DYKEMA GOSETT PLLC

By: 

Richard H. Tushin

Registration No. 27,297

Franklin Square, Third Floor West  
1300 I Street, N.W.  
Washington, DC 20005-3353  
(202) 906-8600

2/7

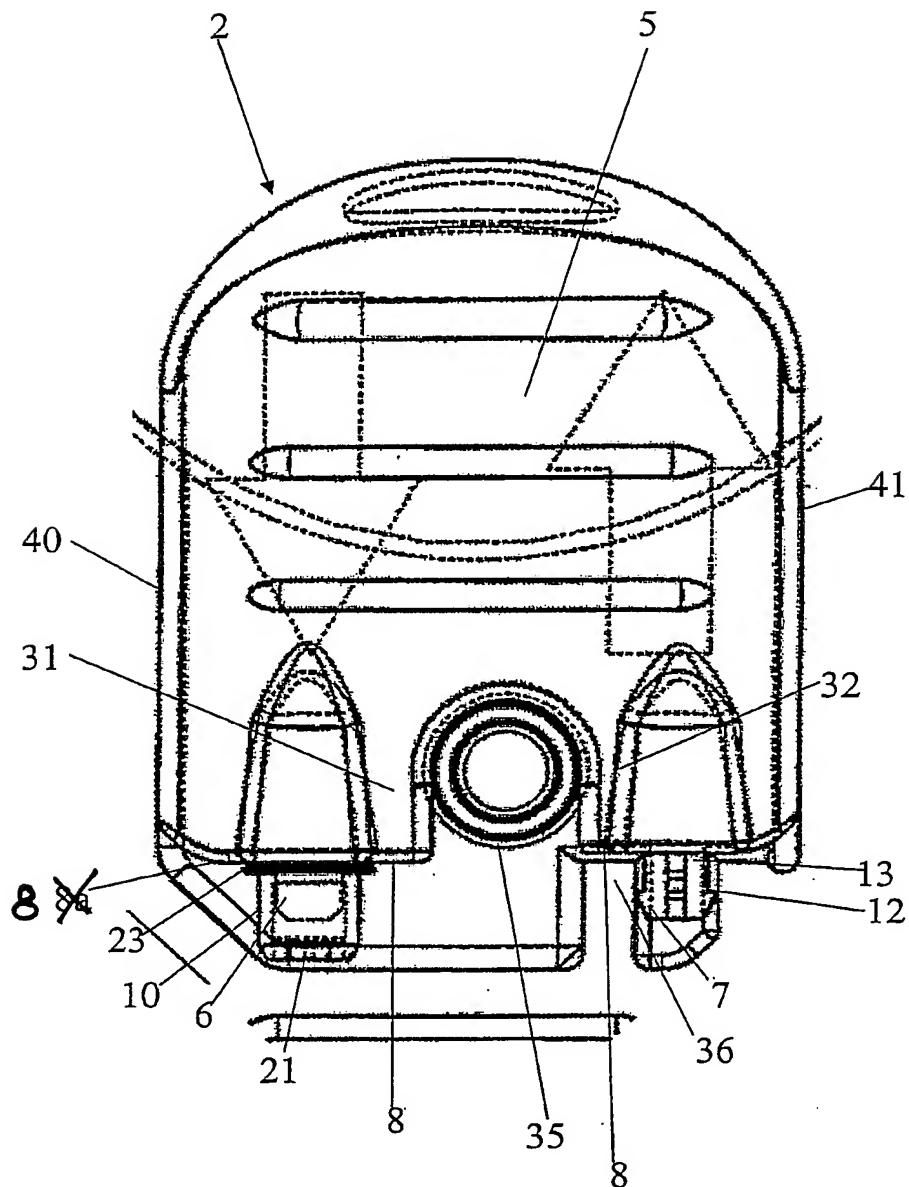


Fig. 2

4/7

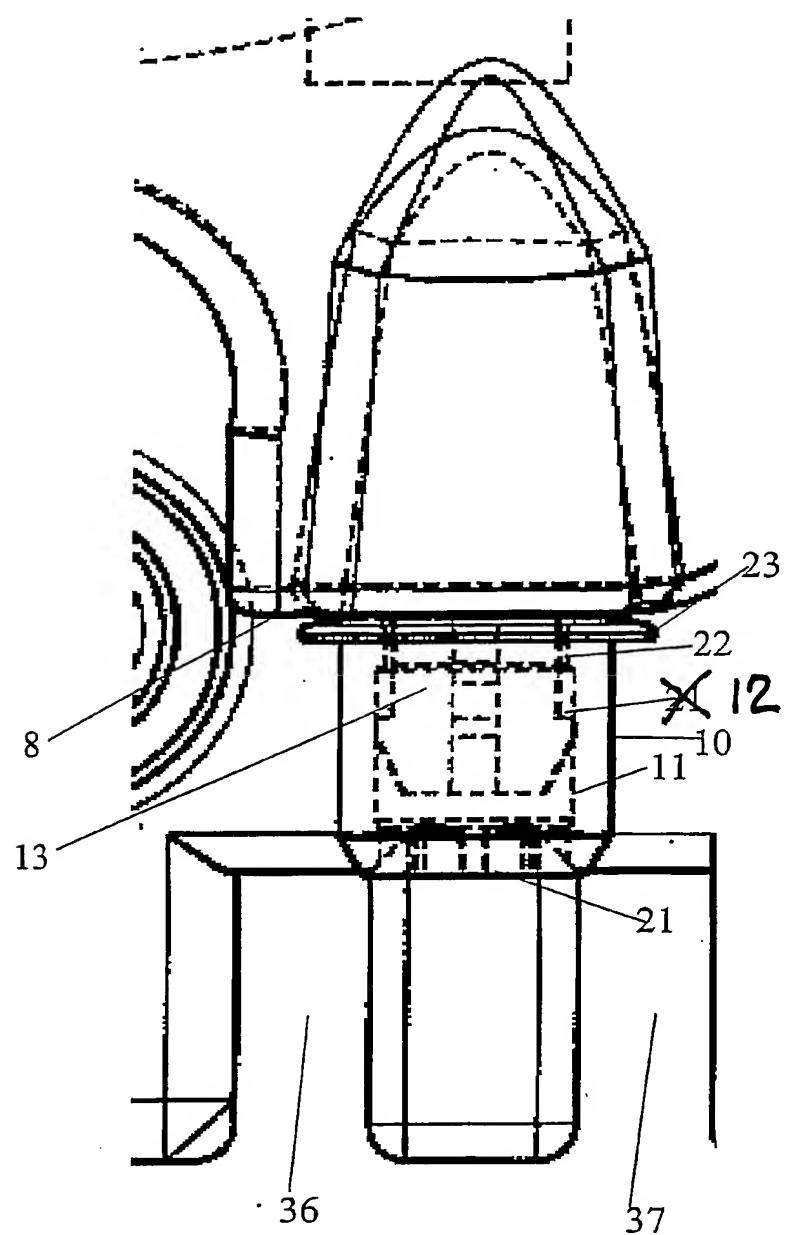


Fig. 4